

## EXHIBIT 13

**BARBARA TAGLIARINO**

**April 28, 2006**

 **COPY**

Page 1

1                   UNITED STATES DISTRICT COURT

2                   FOR THE DISTRICT OF MASSACHUSETTS

3                   C.A. NO. 04-12164-MLW

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6                   ERIC SOUVANNAKANE,

7                   Plaintiff

8                   v.

9                   SEARS, ROEBUCK AND CO.,

10                  Defendant

11

12

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14

15                  DEPOSITION OF: BARBARA TAGLIARINO

16                  Law Offices of Kurt Olson

17                  500 Federal Street

18                  Andover, Massachusetts

19                  April 28, 2006                   10:05 a.m.

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22

23                  Charlotte C. Rosati

24                  Registered Professional Reporter

**CATUOGNO COURT REPORTING SERVICES**

Springfield, MA   Worcester, MA   Boston, MA   Lawrence, MA   Providence, RI

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1 APPEARANCES:

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## I N D E X

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3 WITNESS: BARBARA TAGLIARINO

4

5 EXAMINATION BY: PAGE:

6 Mr. Olson 4

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12 E X H I B I T S PAGE:

13

14 No. 1 Handwritten note, 1pp 12

15 No. 2 Handwritten note, 1pp 16

16 No. 3 Statement, 2pp 17

17 No. 4 Saugus Police Department 19

18 Narrative

19 No. 5 ENPRO Services, Inc. 20

20 invoice, 2pp

21

22

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1 STIPULATIONS

2 It is agreed by and between  
3 the parties that all objections, except  
4 objections as to the form of the questions, are  
5 reserved and may be raised at the time of trial  
6 for the first time.

7 It is further agreed by and  
8 between the parties that all motions to strike  
9 unresponsive answers are reserved and may be  
10 raised at the time of trial for the first time.

11 It is further agreed by and  
12 between the parties that the reading and signing  
13 of the deposition by the deponent my be signed  
14 under the pains and penalties of perjury within  
15 (30) thirty days of receipt.

16 - - - -

17 BARBARA TAGLIARINO, having been  
18 satisfactorily identified and duly sworn by the  
19 Notary Public, deposes and states as follows:

20  
21 EXAMINATION BY MR. OLSON:

22  
23 Q. Good morning, Ms. Tagliarino.

24 A. Good morning.

**BARBARA TAGLIARINO**

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1 Q. And do you know who it was  
2 specifically that did the investigation?

3 A. No.

4 Q. When did you first hear of the spill  
5 at the Sears Automotive Department?

6 A. A couple of days after.

7 Q. Okay. And did you consider the spill  
8 a major incident?

9 A. Yes.

10 Q. Okay. You said that you only heard  
11 about it a couple of days afterward. If it was  
12 a major incident, would you have wanted to know  
13 about it sooner?

14 A. I was off all week.

15 Q. Okay. So then you never had occasion  
16 to view the results of the spill; is that  
17 correct?

18 A. No. Correct.

19 Q. Did anyone tell you about witnesses  
20 who may have seen the oil spill?

21 A. No.

22 Q. Okay. Do you know William Sullivan?

23 A. Yes.

24 Q. And do you know what his position is

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